

DRAWING AMENDMENTS

A new reference character, 13, for a newly added element that was described in the original specification, has been amended to Fig. 2 of the drawings in red ink along the new element. A drawing amendment approval request form is enclosed herewith, as pursuant to MPEP 608.02(v).

REMARKS-General

1. The newly drafted independent claim 24 incorporates all structural limitations of the original claim 1 and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 24-39 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

Response to Rejection of Claims 1-23 under 35USC103

2. The Examiner rejected claims 1-23 over Walker (US. 3,848,090) in view of Chua (US 2004/0091124), and further in view of Vaudrey (US 6,311,155). Pursuant to 35 U.S.C. 103:

“(a) A patent may not be obtained thought the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

3. In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

4. In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and Walker which is qualified as prior art of the instant invention under 35USC102(b) are obvious in view of Chua and Vaudrey at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

5. The applicant respectfully submits that in order to determine whether the differences between the subject matters sought to be patent as a whole of the instant invention and the primary prior art, Walker, are obvious in view of the supplemental cited arts, Chua and Vaudrey, we have to identify all the differences between the claims of the instant inventions and Walker. The applicant respectfully identifies the differences between the claims of the instant invention and Walker et al as follows:

(a) In claim 24, “a **wall hanged AV (audio/video) arrangement**” is claimed for outputting audio signal and video signal, wherein Walker merely teaches a loudspeaker system for sound generation without any mention of any video signal being generated.

(b) In claim 24, “an **artistic casing** having a front artistic surface, a rear wall installing surface, and a side peripheral surface” is claimed to form an operation cavity for receiving the audio device therein, wherein Walker merely teaches a flexible member 10 and a rear wall 36 to form a sealed chamber 16 such that the flexible member 10 is adapted to vibrate as a flexible radiator diaphragm in response to vibrations of the loudspeaker.

The applicant respectfully submits that the wall hanged AV arrangement of the instant invention is an improvement of the conventional AV device which is supported on the stand to connect to the video device. Accordingly, the conventional AV device having a bulky size has a relatively large bottom surface to be supported on the stand in order to communicatively connect to the video device. The instant invention is to provide the wall hanged AV arrangement to be suspendedly hanged on the wall surface so as to minimize the space for the stand. On the other hand, Walker merely teaches the loudspeaker mounted in the sealed chamber without any suggestion of how to incorporate with the AV device. In fact, most conventional loudspeakers are adapted to hang on the wall but not the AV device.

(c) In claim 24, “an **audio outlet** is provided on the side peripheral surface of the artistic casing” is claimed to electrically connect to the video device, wherein Walker fails to teach any outlet at the side wall 32 to output the audio signal to the video device.

(d) In claim 24, “an **inserting slot** formed on the side peripheral surface of the artistic casing” is claimed to receive an external data medium in the operation cavity,

wherein Walker does not teach the loudspeaker system having a slot for inputting the external data medium. Accordingly, the loudspeaker system of Walker is merely an output device for only generating sound by the vibration of the flexible member 10 that there is no external input for the loudspeaker system.

It is worth to mention that in order to keep the neat of the front artistic surface of the artistic casing, the audio outlet and the inserting slot are provided at the side peripheral surface of the artistic casing. However, Walker fails to teach any input component provided at the side wall 32 of the loudspeaker system. It is apparent that the loudspeaker system of Walker is totally different concept of the instant invention.

(e) In claim 24, “a **signal reader** for reading audio signal and video signal of the external data medium” is claimed to convert the audio signal and video signal, wherein Walker does not teach any signal reader adapted to read both audio signal and video signal.

(f) In claim 24, “a plurality of wall attaching arms spacedly and outwardly extended from the peripheral surface of the artistic casing” is claimed for suspendedly mounting the artist casing on the wall surface, wherein Walker merely teaches a fastener 44 and wire 46 are used to hang the loudspeaker system on the wall. Accordingly, the loudspeaker system is merely a picture frame hanged on the wall wherein the loudspeaker is disposed in the picture frame. The applicant respectfully submits that in order to minimize the thickness of the artistic casing, the wall attaching arms are spacedly and outwardly extended from the peripheral surface of the artistic casing. In addition, since the electronic device (i.e. the audio device) is received in the operation cavity of the artistic casing, the wall attaching arms are positioned away from the operation cavity to prevent the audio device from being damage during installation. In order words, Walker does not itself teach the concept of outwardly extending the wall attaching arms away from the sealed chamber.

(g) Walker fails to teach “an **audio generator** for outputting the audio signal as audible sound through the front artistic surface of the artistic casing while outputting the video signal to the video device” as claimed in claim 25 in addition to what is claimed in claim 24 as a whole.

(h) Walker does not teach “a **wireless communication device** for wirelessly connecting the audio device with the video device” as claimed in claims 26 to 27 in addition to what is claimed in claim 24 as a whole. Accordingly, the wireless communication device of the instant invention comprises an audio signal transmitter and an audio signal receiver to wirelessly transmit the audio signal from the audio device to the video device. However, Walker merely teaches the loudspeaker system as an audio receiver for generating sound such that Walker does not require any wireless communication device to transmit audio signal. In other words, no wire is required to connect between the AV arrangement of the instant invention and the video device so as to keep the neat of the instant invention.

(i) Walker fails to mention any **radio frequency transmission** between the audio signal transmitter and the audio signal receiver as claimed in claims 28 to 29 in addition to what is claimed in claim 24 as a whole.

(j) Walker never mention any audio signal receiver **automatically tuned** to match with the radio frequency of the audio signal transmitter to wirelessly communicate with the audio unit as claimed in claims 30 to 31 in addition to what is claimed in claim 24 as a whole.

(k) Walker never mention any audio signal receiver is **manually tuned** to match with the radio frequency of the audio signal transmitter to wirelessly communicate with the audio unit as claimed in claims 32 to 33 in addition to what is claimed in claim 24 as a whole.

It is worth to mention that the AV arrangement of the instant invention is adapted to wirelessly connect to any video device via the wireless communication device by either automatically or manually tuning the audio signal receiver to match with the radio frequency of the audio signal transmitter.

(l) Walker does not mention any **infrared transmission** between the audio signal transmitter and the audio signal receiver as claimed in claims 34 to 35 in addition to what is claimed in claim 24 as a whole.

(m) Walker never mention any audio signal receiver **automatically programmed** to match with the infrared signal of the audio signal transmitter to

wirelessly communicate with the audio unit as claimed in claims 36 to 37 in addition to what is claimed in claim 24 as a whole.

(n) Walker never mention any audio signal receiver is **manually programmed** to match with the infrared signal of the audio signal transmitter to wirelessly communicate with the audio unit as claimed in claims 38 to 39 in addition to what is claimed in claim 24 as a whole.

It is worth to mention that the AV arrangement of the instant invention is adapted to wirelessly connect to any video device via the wireless communication device by either automatically or manually programming the audio signal receiver to match with the infrared signal of the audio signal transmitter.

6. Whether the claims 24 to 39 as amended of the instant invention are obvious depends on whether the above differences (a) to (n) between the instant invention and Walker are obvious in view of Chua and Vaudrey at the time of the invention was made.

7. Furthermore, the applicant respectfully submits that when applying 35 USC 103, the following tenets of patent law must be adhered to:

- (a) The claimed invention must be considered as a whole;
- (b) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (c) The references must be viewed without the benefit of hindsight vision afforded by the claimed invention; and
- (d) Reasonable expectation of success is the standard with which obviousness is determined.

Also, "The mere fact that a reference could be modified to produce the patented invention would not make the modification obvious unless it is suggested by the prior art." Libbey-Owens-Ford v. BOC Group, 4 USPQ 2d 1097, 1103 (DCNJ 1987).

8. Chua merely teaches an audio device for generating audio signal without any suggestion of how such audio device be possible received in a slim structure of the

casing. In fact, the casing of the audio device is bulky that the sealed chamber of Walker cannot be used to receive the audio device of Chua. It is only the Examiner's allegation that "the audio device of Chua can be received in the sealed chamber of Walker" while Chua did not provide any of such suggestion or description in its disclosure. The applicant respectfully submits that the AV arrangement of the instant invention is to form an arrangement of the audio device fitting in the slim structure of the artistic casing that the audio outlet and the inserting slot are provided at the side peripheral surface of the artistic casing. Neither Walker nor Chua provide such concept to transmit the video signal and audio signal to the video device. In addition, no video signal can be read by the audio device of Chua.

9. Vaudrey merely a transmitter transmitting first and second audio signals to the first and second receivers respectively. Similarly, neither Walker, Chua, nor Vaudrey suggests a AV arrangement containing the above distinctive features (a) to (n) as claimed in the instant invention as well as any combination or possibility of providing a slim structure of the artistic casing mounting on the wall surface for transmitting the audio signal and video signal to the video device through the wireless communication link.

10. "To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness. In other words, the examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited art references for combination in the manner claimed... [T]he suggestion to combine requirement stands as a critical safeguard against hindsight analysis and rote application of the legal test for obviousness..." *In re Gorman*, 933 F.2d 982, 986, 18 USPQ 2d 1885, 1888 (Fed. Cir. 1991).

11. Accordingly, the applicant believes that neither Walker, Chua, nor Vaudrey, separately or in combination, suggests or makes any mention whatsoever of the difference subject features (a) to (n) as claimed in the amended claims 24 to 39 of the instant invention.

12. Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

The Cited but Non-Applied References

13. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

14. A set of formal drawings, including Figure 2 as the replacement sheet, are submitted herewith to replace the corresponding original figures in file upon the approval of the proposed drawing correction of Figure 2.

15. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 24-39 at an early date is solicited.

16. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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**CERTIFICATE OF MAILING**

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

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Person Signing: Raymond Y. Chan